

## Farm and Ranch Lands Protection Program - New Mexico Application Checklist

Please complete a copy of this worksheet for each parcel in your application.

**Entity:** \_\_\_\_\_  
**Point of Contact:** \_\_\_\_\_  
**Telephone:** \_\_\_\_\_  
**E-Mail:** \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_

Prior to completing the worksheet, please review the attached support document. Ranking will depend upon the clarity and completeness of supporting documentation. Incomplete or unclear applications will receive lower rankings.

Indicate the page(s) of your proposal where each of ranking elements is addressed in the table below. If you exclude an element, please attach a brief explanation as to why it is not included.

Sponsor Capability -----	Page #/Included
Background Information about Each Entity -----	_____
Easements Being Managed and Easement Management Experience -----	_____
Entity/Team Plan and Project Viability -----	_____
Funding -----	_____
<b>Agricultural Viability Factors: Parcel Name</b> _____	
Pending Offer, Funding and Costs -----	_____
Landowner Meets Farmbill Eligibility Requirements-----	Yes / No
Soil map-----	_____
Natural Feature Map -----	_____
Industry Description -----	_____
Industry/Site Interdependence-----	_____
Conservation Plan -----	_____
Included Area -----	_____
Development Pressure on Site	
Aerial Photo/Map -----	_____
Nearby Landuses Map-----	_____
Land/Easement Value -----	_____
Other Public Values Impacting the FRPP Funding Decision	
Educational/Research Opportunities -----	_____
Proximity to Flood Hazard Zones -----	_____
Cultural Resources -----	_____
Wildlife Habitat/ Threatened and Endangered Species -----	_____
Agricultural Existence Value-----	_____

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Address questions to:**  
Seth Fiedler, FRPP Coordinator  
(505) 761-4416  
[seth.fiedler@nm.usda.gov](mailto:seth.fiedler@nm.usda.gov)

**Submit proposal, including a signed copy of this checklist, to:**  
Rosendo Treviño III, State Conservationist  
USDA, Natural Resources Conservation Service  
6200 Jefferson St NE Albuquerque, NM 87112

**Farm and Ranch Lands Protection Program  
USDA - Natural Resources Conservation Service  
New Mexico Application Checklist Support Document**

**1 Introduction**

Applicants for FRPP assistance in New Mexico should respond to the criteria established in the national Request for Proposals (RFP) and the state ranking criteria outlined in this document. Awards will be based upon the state ranking criteria and applicants are strongly encouraged to structure their proposals to facilitate application of the state ranking criteria outlined here.

Please contact the New Mexico FRPP Coordinator before preparing your application to discuss your application and proposed parcels. This is especially important if you are a first-time applicant. Communication early in the application process will help you understand current FRPP rules, and efficiently develop a complete and competitive application.

Seth Fiedler, FRPP Coordinator  
USDA, NRCS  
6200 Jefferson St NE  
Albuquerque, NM 87112  
(505) 761-4416

e-mail: [seth.fiedler@nm.usda.gov](mailto:seth.fiedler@nm.usda.gov)

These guidelines describe information needed to determine eligibility for FRPP funding and to rank programs and parcels for FRPP participation. Prior to application, applicants must be familiar with the materials in this document, as well as other documents available from the New Mexico FRPP web site (currently <http://www.nm.nrcs.usda.gov/programs/frpp.html>) and the national FRPP website (currently <http://www.nrcs.usda.gov/programs/frpp>). If you do not have web access or have other difficulties, please contact the New Mexico FRPP Coordinator.

**The websites contain important information on eligibility requirements, and participant responsibilities not included in this document.** Please consider the ability of your farmland protection organization to meet these responsibilities, and contact the FRPP Coordinator to discuss any concerns or questions.

To ensure your application is competitive for FRPP funding, please be as thorough and complete as you can in providing the requested information. Please provide supplemental information if you feel this will help provide a more accurate or complete picture.

There is no required application format. However, an outline approach similar to that below, supported as necessary with additional documentation, and is recommended. Insufficiently documented responses may receive lower points than they might otherwise warrant.

## 2 Timeline

Application review and ranking will begin immediately after the application deadline. NRCS will attempt to contact each applicant by telephone within 3 weeks of the close of the application period with requests for clarification or additional information as needed. New or updated information will be accepted and considered in evaluation and ranking process until the week following the initial NRCS contact attempt, or until the end of the 3 week review period, whichever is later. Thus information will only be accepted after the end of the 3 week application period if NRCS does not make its first attempt at contacting you within 2 weeks of the end of the application period.

Applicants will be notified of funding decisions by letter approximately 6 weeks after the end of the application period. Cooperative agreements will be drafted shortly thereafter, and must be finalized in a timely fashion as funds may be reallocated among the states if not awarded well in advance of the of the fiscal year, if local funding is not secured, or for other reasons as deemed appropriate by the State Conservationist.

As soon as the cooperative agreement is signed, obligated funds are available for approved easements. Funds should be used for easement purchase within 2 years of obligation.

## 3 New Mexico Ranking Criteria Checklist, Detailed Explanations

The following explanation is provided to help explain what reviewers will be looking for when evaluating your application. **Failure to clearly and concisely address each element will result in lower scores.**

### 3.1 Sponsor Capability

Please describe your entity. Provide sufficient detail on the entity's structure and policy to enable reviewers to completely evaluate the potential success of acquiring and managing the easements in accordance with program rules and regulations. **If more than one entity is included on your proposal, clearly outline the roles and responsibilities of each, and summarize the capabilities of each separately.**

#### 3.1.1 Background Information about Each Entity

Provide information about your entity:

- Include the entity's history, objectives, accomplishments and plans. Brochures, newsletters, and other informational handouts are helpful. Maps showing the program area, land use, protected areas, and planned acquisitions are also helpful.
- The applicant must be a unit of state government, local government, Indian Tribe, or non-profit organization. The application should clearly state which category the applicant qualifies for. Non-profit organizations must submit documentation that they are recognized as such by the Internal Revenue Service and that farmland protection is part of their mission. See the Federal Register notice, or contact NRCS, for more details.

- Describe your agency, Tribe, or organization's history of acquiring and managing easements on farmland or open space. What criteria are used to set acquisition priorities?

### *3.1.2 Easements Being Managed, and Easement Management Experience*

**List** the easements currently being managed (include a description of purpose for each e.g., primary open space, secondary wildlife habitat protection), and how each was acquired (donation, purchase, leveraged purchase, etc), and when it was acquired. Enumerate the experience that each participating entity has in easement management in New Mexico.

### *3.1.3 Entity/Team Plan and Project Viability*

Provide information on the following aspects of your organization and easement acquisition / protection plan:

- Describe your entity's years of experience in each of the following areas: acquiring easements, managing easements, and enforcing easements.
- Describe the number, ability and experience of staff that will be dedicated to monitoring easement stewardship.
- Describe your agency, Tribe, or organization's interest in and ability to work with the landowner/farmer to assure the conservation plan developed by the landowner and NRCS is being implemented. Does the landowner/farmer already have a current NRCS conservation plan?
- Provide organizational detail on your entity, and contact information for board members, responsible decision makers, and day-to-day contacts.
- Baseline documentation. Describe entity's methodology for completing baseline documentation. Baseline documentation must be prepared within one year of easement closing, including photos and Grantor and Grantee signatures.
- Monitoring and Enforcement. Describe existing monitoring program, and include annual written monitoring reports, with a copy to NRCS. All existing FRPP monitoring reports must be current to be eligible for additional funding. Describe proposed enforcement plan, including staffing and funding.
- Describe appraisal standards and means of providing appraisal reviews. An appraisal using "before and after" valuation method, by a state certified or licensed appraiser, conforming to USPAP or USFLA standards is required before FRPP funds are released. Appraisals should be less than one year old on the easement closing date. Administrative reviews completed on all appraisals. Technical reviews completed on at least 10% of appraisals. A second independent appraisal may be required for easements with a high dollar value per acre (exceeding \$5,000/acre), unusual terms, or in cases where the easement review raises significant questions.
- Title insurance and review. ALTA title insurance is required for the full value of the easement, not just the FRPP contribution. All encumbrances on the title such as mortgages, liens, rights of way, or mineral rights, must be identified and subordinated to the terms of the easement.
- Ranking system and description and ranking information for each parcel. Describe entity's ranking system and rank for each included parcel. Describe efforts

undertaken to assure that if nominated easements(s) can not be acquired, meaningful alternatives are available, and could be obtained within the two year funding period.

### *3.1.4 Funding*

Provide detailed information on funding needed and available for each proposed easement purchase. **Attach a copy of the appraisal, or describe how easement values were estimated.** This information is used to determine program and parcel eligibility. At a minimum, provide information for the following categories:

- Funds not yet available for easement purchases, but anticipated
- Funds available now for the proposed easement purchases, pending only FRPP funding or final approval of the specific easements

Funds provided by a grant from another entity are not considered available until they have passed all internal approvals of the granting entity. Common sources of available funds include: Funds in a bank account, an approved bank line of credit, or an approved grant from another entity. For each category provide information on:

- Amount of funds
- Source of funds
- Date available, or expected to be available
- Approvals needed to use the funds for the proposed easements, and status and timeline for obtaining the approvals

Include supporting documentation such as Board approvals, bank statements, or loan history records. **Matching funds must be available before FRPP funds can be obligated.** However, if adequate matching funds are not available at the time of application, you can still apply.

## **3.2 Agricultural Viability Factors**

The FRPP program requires a “pending offer” on an eligible piece of agricultural land. A “pending offer” is a “written bid, contract, commitment, or option extended to a landowner by a State, Tribe, local governmental entity, or eligible non-governmental organization....” If you do not have a pending offer on a particular parcel, it should not be included in the application.

If you are negotiating with a landowner, and intend to apply for USDA FRPP funds, be certain the owner is aware of the requirements of the FRPP program. NRCS will review the proposed deed/covenant language and require the insertion of a “contingent right” clause and conservation plan requirement into the deed documents. Also, NRCS will need to review and approve of the appraisal and land survey for the parcel.

In addition, parcels must be owned by individuals or entities meeting other eligibility criteria described on the FRPP website, including income limitations and private ownership. More information on Farmbill Income and payment limitations is available at:

<http://www.nrcs.usda.gov/programs/farmbill/2002/rules/incomelimits.html>

Contact the FRPP coordinator if you have questions about parcel or land owner eligibility.

For each parcel subject to a pending offer, please provide:

- A copy of the pending offer. Include (at a minimum) the name, address and phone numbers of the landowners and operator (if the latter is different from the landowner), the address and location of the sites offered, and the size of the sites (in acres), and the anticipated easement cost, detailing all proposed cost arrangements. The pending offer should also **include FRPP cost, entity contribution and any other contributions (e.g. landowner donations)**. Indicate the priority of the sites based on your organization's ranking.

List the Tract and Farm number assigned to the farm by the USDA Service Center. If none exists, have the landowner contact the USDA Service Center to fill out and sign form AD-1026 to have a Tract and Farm number assigned. This information is needed to develop the conservation plan required of all participants in the FRPP. A list of USDA Service Center offices and phone numbers is listed at the end of this checklist for your use.

Provide a list of crops recently grown, the approximate acreage of each, and how the products are marketed and the level of on site investments. Describe the existing infrastructure essential to the agricultural operation, include means of irrigation. (barns, farm stand, irrigation system, conservation practices, implementation of conservation plan, stewardship, etc.) . The land owner should have this information.

Additionally, the following information is needed to complete the ranking:

### *3.2.1 Soil map*

A soil map or USGS 7.5 minute quadrangle map showing outline of the parcel. Outline on the map those areas of the farm actively being farmed. For this purpose, "actively farmed" means regularly tilled or regularly harvested areas. For grazed land, it must be quality forage to be considered actively farmed.

### *3.2.2 Natural Feature Map*

May be the same map as above, but must show the site in relation to natural surface water, and surface irrigation water structures. Include a description of any easement language proposed to protect water rights (as necessary to preserve agricultural viability.)

### *3.2.3 Industry Description*

Briefly describe the agricultural industry in the area (e.g. county, or sub-county area), and its ability to support a viable agricultural economy.

#### *3.2.4 Industry/Site Interdependence*

Briefly describe the local agricultural economy and the site's importance in it in sufficient detail for NRCS to be able to generally assess the viability of the agriculture in the area in the presence and absence of agricultural operations at the site. Address the following questions: is sufficient infrastructure available in the vicinity to support the site? How much of the site's agricultural related supplies must be imported from outside the county? Does the site generate a significant percentage of the local demand for agricultural infrastructure?

#### *3.2.5 Relationship to protected lands and approved plans*

Indicate the presence or absence of other of 1) protected agricultural lands in the project vicinity and indicate distance to other protected lands and 2) describe the relationship of the parcel to adopted local land use plans. In referencing plans, be sure to distinguish between zoning and planning. Agricultural zoning alone is insufficient to warrant points under this element, as agricultural zoning alone is often used as a "holding zone" until other uses appear.

#### *3.2.6 Conservation Plan*

Indicate whether or not a conservation plan, prepared in cooperation with the local NRCS office and approved by the local conservation district, is in place. Many producers already have these plans in place. Check with the producer and NRCS to see if a current plan is being applied. If FRPP funds are used to assist in acquiring the development rights, then the farm **MUST** have a conservation plan on those all highly erodible lands (most lands in New Mexico are) and a statement to this effect must be included in the easement deed to this effect.

#### *3.2.7 Included Area*

Describe the extent of the site being proposed for inclusion in the easement. (For example, "100% of site will be subject to the easement.")

### **3.3 Development Pressure on Site**

Include at a minimum the following maps and descriptive materials for each parcel subject to a pending offer:

#### *3.3.1 Aerial Photo/Map*

Recent dated aerial photos topographic map of each parcel and surrounding area, showing the limits of each parcel.

#### *3.3.2 Nearby Landuses Map*

Landuse map(s) showing landuses on properties within a 1.0 mi radius surrounding each applicant parcel. This information may be overlaid on the aerial photo map (above) if sufficient detail is shown.

### *3.3.3 Land/Easement Value*

Describe the size of each parcel and the amount of FRPP funds being requested for each parcel. Attach the appraisal, or a description of method used to determine easement value. Estimate the easement cost on a per acre basis (i.e. \$/acre).

## **3.4 Other Public Values Impacting the FRPP Funding Decision**

### *3.4.1 Educational/Research Opportunities*

Describe whether or not the proposed easement will assure the public and or researchers access to education or reach opportunities not available elsewhere in the county/state/nation.

### *3.4.2 Proximity to Flood Hazard Zones*

Describe the site's proximity to flood protection projects. Is the site in a floodplain which should where development might entail risk to future residents?

### *3.4.3 Cultural Resources*

Are historic and/or archaeological resources present at the site? Is the property listed on the State or National Register of Historic Places? Or, has it been formally determined to be eligible for listing on the State or National Register of Historic Places? Have significant archaeological resources been found on the property? If the answer is "yes" to any of these questions, please include documentation and provide a brief description of the sites' significance.

### *3.4.4 Wildlife Habitat/ Threatened and Endangered Species*

Describe any unique environmental or ecological attributes of the land that would be protected, such as threatened and endangered species or a recognized greenway or corridor.

### *3.4.5 Agricultural Existence Value*

Describe the relationship of the parcel to local, regional and national community values. Even if the site is not on (or eligible for) one of the historic registers, describe any unique social significance the farm has for the community (Town, County, State, Nation), such as being a landmark in the community, or in its special value to underserved people, etc.

**The information requested above will allow your application package to be evaluated for basic eligibility and then to be scored.**